

House File 2267 - Introduced

HOUSE FILE 2267
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HSB 604)

A BILL FOR

1 An Act relating to county recorder duties, fees, and records
2 maintenance.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.1, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9A. "*Document*" means a snowmobile
4 certificate of title, registration certificate or registration
5 renewal, user permit, or duplicate special registration
6 certificate issued by the county recorder's office.

7 Sec. 2. Section 321G.27, subsection 1, Code 2014, is amended
8 to read as follows:

9 1. *a.* The county recorder shall collect a writing fee of
10 one dollar and twenty-five cents for ~~a snowmobile registration~~
11 ~~or for renewal of a registration~~ each document issued by the
12 county recorder's office.

13 ~~*b.* The county recorder shall retain a writing fee of one~~
14 ~~dollar and twenty-five cents from the sale of each user permit~~
15 ~~issued by the county recorder's office.~~

16 ~~*c.* The county recorder shall collect a writing fee of~~
17 ~~one dollar and twenty-five cents for each duplicate special~~
18 ~~registration certificate issued by the county recorder's~~
19 ~~office.~~

20 ~~*d.*~~ *b.* Writing fees collected or retained by the county
21 recorder under this chapter shall be deposited in the general
22 fund of the county.

23 Sec. 3. Section 321G.29, subsection 7, Code 2014, is amended
24 to read as follows:

25 7. The county recorder shall maintain a an electronic record
26 of any certificate of title which the county recorder issues
27 ~~and shall keep each certificate of title on record~~ until the
28 certificate of title has been inactive for five years. When
29 issuing a title for a new snowmobile, the county recorder shall
30 obtain and keep the certificate of origin on file ~~a copy of the~~
31 ~~certificate of origin.~~ When issuing a title and registration
32 for a used snowmobile for which there is no title or
33 registration, the county recorder shall obtain and keep on file
34 the affidavit for the unregistered and untitled snowmobile.

35 Sec. 4. Section 321G.30, subsection 1, Code 2014, is amended

1 to read as follows:

2 1. The county recorder shall charge a ten dollar fee to
3 issue a certificate of title, a transfer of title, a duplicate,
4 or a corrected certificate of title plus a writing fee as
5 provided in section 321G.27.

6 Sec. 5. Section 321G.32, subsection 1, paragraph a, Code
7 2014, is amended to read as follows:

8 a. To perfect the security interest, an application for
9 security interest must be presented along with the original
10 title. The county recorder shall note the security interest on
11 the face of the title and ~~on~~ in the copy in electronic record
12 maintained by the recorder's office.

13 Sec. 6. Section 321I.1, Code 2014, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 10A. "*Document*" means an all-terrain
16 vehicle certificate of title, vehicle registration or
17 registration renewal, user permit, or duplicate special
18 registration certificate issued by the county recorder's
19 office.

20 Sec. 7. Section 321I.29, subsection 1, Code 2014, is amended
21 to read as follows:

22 1. a. The county recorder shall collect a writing fee of
23 one dollar and twenty-five cents for ~~an all-terrain vehicle~~
24 ~~registration or for renewal of a registration~~ each document
25 issued by the county recorder's office.

26 ~~b. The county recorder shall retain a writing fee of one~~
27 ~~dollar and twenty-five cents from the sale of each user permit~~
28 ~~issued by the county recorder's office.~~

29 ~~c. The county recorder shall collect a writing fee of~~
30 ~~one dollar and twenty-five cents for each duplicate special~~
31 ~~registration certificate issued by the county recorder's~~
32 ~~office.~~

33 ~~d. b.~~ Writing fees collected or retained by the county
34 recorder under this chapter shall be deposited in the general
35 fund of the county.

1 Sec. 8. Section 321I.31, subsection 7, Code 2014, is amended
2 to read as follows:

3 7. The county recorder shall maintain a an electronic record
4 of any certificate of title which the county recorder issues
5 ~~and shall keep each certificate of title on record~~ until the
6 certificate of title has been inactive for five years. When
7 issuing a title for a new all-terrain vehicle, the county
8 recorder shall obtain and keep the certificate of origin on
9 ~~file a copy of the certificate of origin~~. When issuing a title
10 and registration for a used all-terrain vehicle for which
11 there is no title or registration, the county recorder shall
12 obtain and keep on file the affidavit for the unregistered and
13 untitled all-terrain vehicle.

14 Sec. 9. Section 321I.32, subsection 1, Code 2014, is amended
15 to read as follows:

16 1. The county recorder shall charge a ten dollar fee to
17 issue a certificate of title, a transfer of title, a duplicate,
18 or a corrected certificate of title plus a writing fee as
19 provided in section 321I.29.

20 Sec. 10. Section 321I.34, subsection 1, paragraph a, Code
21 2014, is amended to read as follows:

22 a. To perfect the security interest, an application for
23 security interest must be presented along with the original
24 title. The county recorder shall note the security interest on
25 the face of the title and ~~on~~ in the copy in electronic record
26 maintained by the recorder's office.

27 Sec. 11. Section 331.602, subsection 39, Code 2014, is
28 amended to read as follows:

29 39. Accept applications for passports if approved to accept
30 such applications by the United States department of state.

31 Sec. 12. Section 359A.10, Code 2014, is amended to read as
32 follows:

33 **359A.10 Entry and record of orders.**

34 Such orders, decisions, notices, and returns shall be
35 entered of record at length by the township clerk, and a copy

1 thereof certified by the township clerk to the county recorder,
2 who shall record the same in the recorder's office in a ~~book~~
3 ~~kept for that purpose~~ the manner specified in sections 558.49
4 and 558.52, and index such record in the name of each adjoining
5 owner as grantor to the other. The county recorder shall
6 collect fees specified in section 331.604.

7 Sec. 13. Section 462A.5, subsection 1, paragraph a, Code
8 2014, is amended to read as follows:

9 a. The owner of the vessel shall file an application
10 for registration with the appropriate county recorder on
11 forms provided by the commission. The application shall be
12 completed and signed by the owner of the vessel and shall
13 be accompanied by the appropriate fee, and the writing fee
14 specified in section 462A.53. Upon applying for registration,
15 the owner shall display a bill of sale, receipt, or other
16 satisfactory proof of ownership as provided by the rules of
17 the commission to the county recorder. If the county recorder
18 is not satisfied as to the ownership of the vessel or that
19 there are no undisclosed security interests in the vessel,
20 the county recorder may register the vessel but shall, as a
21 condition of issuing a registration certificate, require the
22 applicant to follow the procedure provided in section 462A.5A.
23 Upon receipt of the application in approved form accompanied
24 by the required fees, the county recorder shall enter it
25 upon the records of the recorder's office and shall issue to
26 the applicant a pocket-size registration certificate. The
27 certificate shall be executed ~~in triplicate, one copy to be~~
28 and delivered to the owner, one copy to the commission, and
29 ~~one copy to be retained on file by the county recorder.~~ The
30 county recorder shall maintain an electronic record of each
31 registration certificate issued by the county recorder under
32 this chapter. The registration certificate shall bear the
33 number awarded to the vessel, the passenger capacity of the
34 vessel, and the name and address of the owner. In the use of
35 all vessels except nonpowered sailboats, nonpowered canoes,

1 and commercial vessels, the registration certificate shall be
 2 carried either in the vessel or on the person of the operator
 3 of the vessel when in use. In the use of nonpowered sailboats,
 4 nonpowered canoes, or commercial vessels, the registration
 5 certificate may be kept on shore in accordance with rules
 6 adopted by the commission. The operator shall exhibit the
 7 certificate to a peace officer upon request or, when involved
 8 in an occurrence of any nature with another vessel or other
 9 personal property, to the owner or operator of the other vessel
 10 or personal property.

11 Sec. 14. Section 462A.5, subsection 4, paragraphs a and d,
 12 Code 2014, are amended to read as follows:

13 a. If a person, after registering a vessel, moves from
 14 the address shown on the registration certificate, the person
 15 shall, within ten days, notify the county recorder in writing
 16 of the old and new address. ~~If appropriate, the county~~
 17 ~~recorder shall forward all past records of the vessel to the~~
 18 ~~recorder of the county in which the owner resides.~~

19 d. ~~If a registration certificate is lost, mutilated or~~
 20 ~~becomes illegible, the owner shall immediately make application~~
 21 ~~for and obtain a duplicate registration certificate by~~
 22 ~~furnishing information satisfactory to the county recorder. A~~
 23 ~~fee of one dollar plus a writing fee shall be paid to the county~~
 24 ~~recorder for~~ may issue a duplicate registration certificate
 25 upon payment of one dollar plus a writing fee as provided in
 26 section 462A.53.

27 Sec. 15. Section 462A.77, subsection 7, Code 2014, is
 28 amended to read as follows:

29 7. The county recorder shall maintain a an electronic record
 30 of ~~any~~ each certificate of title ~~which~~ issued by the county
 31 recorder ~~issues and shall keep each certificate of title on~~
 32 ~~record~~ under this chapter until the certificate of title has
 33 been inactive for five years.

34 Sec. 16. Section 462A.84, subsection 1, paragraph a, Code
 35 2014, is amended to read as follows:

1 a. To perfect the security interest, an application for
2 security interest must be presented along with the original
3 title. The county recorder shall note the security interest on
4 the face of the title and ~~on~~ in the copy in electronic record
5 maintained by the recorder's office.

EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill relates to certain county recorder fees and
10 records maintenance.

11 The bill makes technical changes related to the writing
12 fees collected for the issuance of registrations, registration
13 renewals, user permits, and duplicate special registration
14 certificates charged by a county recorder for snowmobiles and
15 all-terrain vehicles. The bill also requires that a county
16 recorder collect a writing fee of \$1.25 for each certificate of
17 title issued by the recorder for snowmobiles and all-terrain
18 vehicles.

19 The bill makes changes to the records maintenance
20 requirements for certificates of title for snowmobiles,
21 all-terrain vehicles, and boats. Under current law, the
22 county recorder is required to keep a physical record of such
23 documents. The bill requires that the county recorder maintain
24 such records electronically. The bill makes corresponding
25 changes related to electronically noting security interests for
26 snowmobiles, all-terrain vehicles, and boats.

27 The bill modifies the current requirement that a county
28 recorder accept passport applications by providing that the
29 recorder may do so only if the county recorder is approved by
30 the United States department of state to accept applications.

Under current law, a county recorder is required to enter and record certain orders, decisions, notices, and returns related to township fences in a book kept for that purpose. The bill provides instead that such orders, decisions, notices, and returns be recorded in the same manner as conveyances, which is

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1 by index records and alphabetical arrangement.